

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-13009-2023

Date of decision:-15.11.2023

Jasanpreet @ Jaspreet Singh @ Honey Walia and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present : Mr.Gulrej Khan, Advocate
for the petitioners.

Mr.Anup Singh, AAG, Punjab.

Mr.Mehtab Singh, Advocate
for the complainant/respondent No.2.

SUVIR SEHGAL, J.(ORAL)

1. Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.217 dated 18.12.2022, under Sections 452, 506, 148, 149 and 427 IPC, registered at Police Station Kotwali, District Bathinda, Annexure P1, along with all subsequent proceedings arising therefrom, on the basis of compromise dated 07.01.2023, Annexure P2, arrived at between the parties.

2. Counsel for the petitioners submits that the FIR is an outcome of minor altercation, which has been amicably settled between the parties.

3. Counsel for the respondent No.2/complainant has admitted the factum of compromise.

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4. Heard counsel for the parties.

5. Pursuant to order dated 01.08.2023 passed by this Court, report has been received from the Judicial Magistrate, relevant extract of which is as under:-

“1. As per statement of Investigating Officer, there is only one Complainant namely Ajaib Singh son of Harpal Singh and nine Accused persons namely Jasanpreet @ Jaspreet Singh @ Honey Walia, Avtar Singh @ Rahul, Amandeep Singh @ Pittal, Gurvinder Singh @ Guri, Gaurav Kumar, Kritik Kumar @ Ritik, Divesh Kumar, Sahil Romana and Sagar Kumar in FIR No.217 dated 18.12.2022, U/S 452/506/148/149/427 IPC, Police Station Kotwali.

2. As per statement of Investigating Officer, no accused persons are declared proclaimed offender in any case.

3. As per record and statement of Investigating Officer, Challan has not been presented till now in this FIR.

4. From the statement of parties that appeared in this petition, the compromise appears to be genuine, voluntary and without any pressure or coercion or undue influence.”

6. In view of the report given by the learned Magistrate and judgment of the Supreme Court in ***Gian Singh Versus State of Punjab and another, 2012(4) RCR (Criminal) 543*** and a Full Bench of this Court in ***Kulwinder Singh vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052***, this Court is of the view that keeping the criminal proceedings alive would not serve any purpose and setting them aside

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would enable the parties to lead a harmonious and peaceful life.

7. Accordingly, the petition is allowed. FIR No.217 dated 18.12.2022, under Sections 452, 506, 148, 149 and 427 IPC, registered at Police Station Kotwali, District Bathinda, Annexure P1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioners.

(SUVIR SEHGAL)
JUDGE

15.11.2023
Brij

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No